

REMARKS

Claims 5 to 25 continue to be under consideration.

Claims 1, 3, and 4 are being cancelled

New claims 26 to 28 are introduced.

New claim 26 is based on the language of claim 11.

New claim 27 is based on the language of claim 17.

New claim 28 is based on the language of claim 7.

Applicant has noted that the drawings not yet show reference numeral 10. A substitute sheet of Figure 4 is submitted carrying the reference numeral 10.

The Office Action refers to the Specification

The disclosure stands objected to because of the following informalities: the second paragraph on page 6 and the fifth paragraph on page 7 should have simply been deleted. (The replacements still cause double paragraphs/paragraphs with identical wording.) Appropriate correction is required. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: the subject matter concerning the obtuse angles, planes and axial direction (found in new claims 20-25), although seen in the drawings, is not discussed in the specification.

The present amendment cancels the objectionable paragraphs on pages 5 and 6.

The present amendment further introduces on page 3 language from claims 23, 24 and 25.

The Office Action refers to Claim Rejections - 35 USC § 112.

Claims 1, 3 and 4 stand rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Namely, it is unclear what the newly added limitation "channel extends up to a width of the neck" is referring to. It appears that the width of the channel is larger than that of the neck in Figs. 1 and 5. No discussion of this feature appearing in the specification as originally filed.

The present amendment cancels claims 1, 3, and 4.

The Office Action refers to Claim Rejections - 35 USC § 102

Claims 5, 6, 8-10, 12-14, 16, and 18 stand rejected under 35 U.S.C. 102(b) as being anticipated by Fischer (1,911,141). As best understood, Fischer teaches a roof shingle (Fig. 1: for any type of building; three engaged shingles shown in Fig. 1a) comprising: a shingle neck (2) and shingle body (1) with a raised engagement and guide element having a "female mold undercut zone" (3, lower portion of shingle, inner part being female zone) and shoulders having correspondingly dimensioned "male mold undercut zones" (4; upper portions of 1). The male zones are the shoulders

are half the length of the female zone and fit there against. The element is disposed between vertical parallel sides edges of the body. Furthermore, the angles of the female and male zones are the same (approximately 90 degrees).

The present amendment modifies claim 5 with allowable subject matter from claim 7 and claim 5 is believed to be now in fully allowable form. As claims 5, 6, 8-10, 12-14, 16, and 18 depend on claim 5, it is respectfully submitted that these claims 5, 6, 8-10, 12-14, 16, and 18 should also be allowed.

The Office Action refers to Claim Rejections - 35 USC § 103.

Claim 15 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Fischer in view of Edwards (467,791). As stated above, Fischer teaches the limitations of claims 5 and 14, including parallel edges on the body and neck. For claim 15, Fischer fails to teach that the neck sides are shorter than the body sides. The examiner takes Official notice that shingles having longer bodies than necks are well known in the art (see for example reference to Edwards). Therefore, it would have been an obvious design consideration to one of ordinary skill in the art at the time of the invention to modify the shingles of Fischer by using shingles with longer bodies, so that fewer total shingles would be needed to cover the roof, saving time and costs.

Claim 15 depends on claim 14 and claim 14 in turn depends on claim 5.

Thus the allowability of claim 15 is based on the allowability of claim 5.

The Office Action refers to Allowable Subject Matter.

Claims 19-25 are allowed. Claims 7, 11 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant sincerely appreciates the indication of allowable subject matter. Claim 7 is now incorporated in claim 5, Claims 11, 17, and 20 now incorporate the language of claim 5 to render these claims fully allowable.

Reconsideration of all outstanding rejections is respectfully requested.

Entry of the present amendment is respectfully requested. All claims as presently submitted are deemed to be in form for allowance and an early notice of allowance is earnestly solicited.

Respectfully submitted,
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